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A/51/68
15 February 1996

ORIGINAL: ENGLISH

Fifty-first session

INTERNATIONAL DRUG CONTROL

Letter dated 6 February 1996 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

On behalf of the European Union, I have the honour to transmit to you herewith a declaration by the Presidency of the European Union on drug trafficking and organized crime, issued on 5 February 1996.

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly, under the item entitled "International drug control".

(Signed) F. Paolo FULCI
Permanent Representative

96-03803 (E) 160296 200296

Annex

[Original: English and French]

DECLARATION BY THE PRESIDENCY ON BEHALF OF THE EUROPEAN UNION ON MEXICO'S COMMITMENT TO COMBATING DRUG TRAFFICKING ISSUED AT ROME ON 5 FEBRUARY 1996

In view of the Mexican Government's efforts to combat drug trafficking and organized crime, the European Union wishes to express its support for the Mexican authorities' commitment to the continuation of that policy.

The Central and Eastern European countries associated with the European Union and the associated countries, Cyprus and Malta, align themselves with the present declaration.

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23 February 1996
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Fifty-first session
GENERAL AND COMPLETE DISARMAMENT:
REGIONAL DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE
CONCLUDING DOCUMENT OF THE
TWELFTH SPECIAL SESSION OF THE
GENERAL ASSEMBLY: REGIONAL
CONFIDENCE-BUILDING MEASURES

SECURITY COUNCIL
Fifty-first year

Letter dated 20 February 1996 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I am transmitting herewith a copy of the statement by the guarantor countries of the Protocol of Rio de Janeiro, 1942, on the occasion of the first anniversary of the Itamaraty Peace Declaration of 17 February 1995.

I should be grateful if you would have this note and its annex distributed as a document of the General Assembly, under the agenda items entitled "General and complete disarmament: regional disarmament" and "Review and implementation of the concluding document of the Twelfth Special Session of the General Assembly: regional confidence-building measures", and of the Security Council.

(Signed) Luis VALENCIA RODRIGUEZ
Permanent Representative

96-04252 (E) 230296 230296 260296

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ANNEX*

Statement by the guarantor countries of the Protocol of Rio de Janeiro, 1942, on the occasion of the first anniversary of the Itamaraty Peace Declaration

On the occasion of the first anniversary of the signing of the Itamaraty Peace Declaration of 17 February 1995, the Ministers for Foreign Affairs of the guarantor countries of the Protocol of Rio de Janeiro, 1942, Guido di Tella of Argentina, Luiz Felipe Lampreia of Brazil, José Miguel Insulsa of Chile and Warren Christopher of the United States of America, express their satisfaction at the significant progress made towards complete détente in the relations between Ecuador and Peru, aimed at a final solution to the conflict between the two countries.

One year since this solemn commitment entered into force, they note with profound satisfaction that efforts to ensure a peaceful solution have been successful. In the context of the Itamaraty Peace Declaration and under the coordination of the military observers of the guarantor countries, a cease-fire was established in the conflict zone, putting an immediate end to the loss of human lives, and a separation of military forces was put into effect, thereby avoiding the risk of further clashes. Building on this initial peace effort, a process of mutual confidence and good faith was set in motion which is permitting the gradual transfer to the parties of the tasks and responsibilities of the Ecuador-Peru Military Observer Mission (MOMEP), with a view to ensuring, in conjunction with the guarantor countries, peace in the region. On the understanding that MOMEP will be a factor in consolidating this process, the guarantor countries express their full confidence in the Observer Mission and in the procedures agreed to in that body. In this context, they are prepared to consider an eventual request by the parties for the extension, for a limited period, of the presence of military observers.

They recall that a new and decisive phase in the peace process is now beginning which presents its own challenges. They note with satisfaction the spirit of openness which prevailed at the meeting held in Lima on 17 and 18 January 1996 between the Foreign Ministers of Ecuador and Peru, pursuant to the terms of the Itamaraty Peace Declaration. That meeting enabled the parties to discuss their differences, in direct and frank talks, with a view to finding a common and definitive solution.

In recognition of their invaluable contribution in exercising the important responsibilities entrusted to them by the Protocol of Rio de Janeiro, the guarantor countries were invited to take part in the meeting, and, at the request of the parties, Brazil will host the substantive negotiations that are to follow. The guarantor countries emphasize that the performance of these

* Translator's note: translated from an unofficial Spanish translation.

functions requires that they enjoy autonomy in exercising their full capacity to state their views, in such manner and at such time as they deem appropriate, on the progress of the peace process.

Convinced that the adoption of mutual confidence-building measures is essential for promoting a climate of dialogue and harmony, they especially welcome the talks held between the Foreign Ministers of Ecuador and Peru and also the specific proposals for preventing the risks of an arms race in the region. Accordingly, the parties can continue to count on the ongoing efforts of the guarantor countries, including efforts to secure the necessary cooperation of the international community.

Desiring to see the common ground reached at Lima expanded further, they emphasize the importance of the next meeting, to be held at Quito on 22 and 23 February, between Foreign Ministers Galo Leoro Franco and Francisco Tudela, with the participation of senior officials of the guarantor countries.

Aware of the responsibilities and expectations for the consolidation of peace, the guarantor countries are convinced that all the parties will make every effort to ensure that further decisive steps are taken to launch the negotiations on technical, legal and substantive issues with all due speed and determination, so that 1996 will be remembered as the year of peace.

The ongoing faithful compliance with the commitments made in the Itamaraty Peace Declaration has created unique conditions for finding a definitive solution to the conflict. Firm in this conviction, the Ministers for Foreign Affairs of the guarantor countries will continue to cooperate, determinedly and confidently, in ensuring the full implementation of the Itamaraty Peace Declaration, in keeping with our peoples' aspirations for peaceful coexistence and prosperity.

Brasilia, 16 February 1996

UNITED
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26 February 1996

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GENERAL ASSEMBLY
Fifty-first session
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-first year

Letter dated 26 February 1996 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

Two grave acts of terrorism were perpetrated by Palestinian extremists yesterday in Israel.

On Sunday morning, at 6.48 a.m. local time, a Hamas terrorist detonated a bomb on a commuter bus travelling in rush-hour traffic in downtown Jerusalem. According to the most recent accounts, the explosion killed 24 Israelis and injured an additional 51.

Fifty minutes later, at approximately 7.30 a.m. local time, another terrorist with a bomb strapped to his body walked into a crowd of Israelis and blew himself up in the town of Ashkelon. One Israeli was killed as a result of this act of terror and 36 were wounded, 7 of them critically.

Sources from the military wing of the fundamentalist organization Hamas have claimed responsibility for the two suicide bombings.

These terrorist acts occurred one day after Israel lifted its closure of the Gaza Strip and West Bank, in response to appeals from the Palestinian Authority as well as from sources from the international community.

Recently, the redeployment of the Israel Defence Forces from six Palestinian cities in the West Bank and the holding of elections for the Palestinian Council throughout the territories were completed. These achievements were reached within the framework of the Declaration of Principles signed by Israel and the PLO on 13 September 1993. The crimes were intended not only to kill Israelis, but to derail the peace process as well. The attackers and those who sent them are enemies of peace and of the people of the Middle East who seek a better future - Arab and Jew alike.

Israel will not allow terrorism to upset the progress made thus far in implementing the Declaration of Principles. Israel remains committed to working with the Palestinians towards achieving peace. At the same time, Israel will take all measures necessary to combat terrorism and ensure the security of its citizens.

Israel has demanded that the Palestinian Authority take more active measures to intensify its war against terrorism, particularly against terrorism emanating from the Palestinian self-rule areas.

Israel calls upon all Member States to join those who have already unequivocally condemned this crime and to support the peace process and the battle against terrorism.

I should be grateful if you would have the text of the present letter circulated as an official document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

UNITED NATIONS

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General Assembly
Security Council

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S/1996/147
29 February 1996

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GENERAL ASSEMBLY
Fifty-first session
Item 20 of the preliminary list*
ADMISSION OF NEW MEMBERS TO THE
UNITED NATIONS

SECURITY COUNCIL
Fifty-first year

Letter dated 29 February 1996 from the Permanent Representatives of Bosnia and Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Upon instructions from our respective Governments, we have the honour to submit to you the text of a joint statement by our Foreign Ministers with regard to Security Council resolution 1022 (1995) (see annex).

We would kindly request your assistance in distributing the present letter and its annex as a document of the General Assembly, under item 20 of the preliminary list, and of the Security Council.

(Signed) Ambassador Muhamed SACIRBEY
Permanent Representative of Bosnia and Herzegovina

(Signed) Ambassador Mario NOBILO
Permanent Representative of Croatia

(Signed) Ambassador Denko MALESKI
Permanent Representative of Macedonia

(Signed) Ambassador Danilo TÜRK
Permanent Representative of Slovenia

* A/51/50.

96-04988 (E) 010396 020396

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ANNEX

Joint statement issued on 29 February 1996 by the Foreign Ministers of Bosnia and Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia

The Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia and the Republic of Slovenia, being the successor States to the former Socialist Federal Republic of Yugoslavia (hereinafter the "SFRY"), have agreed to state their common position in respect of the implementation of resolution 1022 (1995) adopted by the United Nations Security Council on 22 November 1995.

1. In its paragraph 5, resolution 1022 (1995) provides for the release of some funds and assets previously frozen or impounded pursuant to Security Council resolutions 757 (1993) and 820 (1993). However, paragraph 6 of resolution 1022 (1995) contains safeguards for the protection of the rights and interests of the successor States to the former SFRY, other than the Federal Republic of Yugoslavia (Serbia and Montenegro) (hereinafter the "FRY"). Namely, it emphasizes that the suspension of termination of obligations pursuant to the resolution is without prejudice to the claims of successor States to the former SFRY with respect to funds and assets. Furthermore, it encourages all States to make provision under their national law for addressing competing claims of States and to take appropriate measures to facilitate the expeditious collection of any funds and assets by the appropriate parties and the resolution of claims related thereto.

In our view this position means that any release of previously frozen or impounded funds and assets by respective States which is contrary to legal interests and claims of the successor States to the former SFRY and is not based on applicable law, including respective general principles of law, imposes the legal obligation of these States to repair any damage to other four successor States inflicted by such a decision. Our Governments reserve the right to obtain the return of their respective portions of the assets and funds and/or indemnity in judicial procedures before municipal and international agencies from the entities whose actions have caused such damage.

2. We would like to stress that our Governments have always supported the need for the successor States to reach an agreement on the distribution of funds and assets and the allocation of liabilities of the former Yugoslavia, as stated in resolution 1022 (1995).

From the outset of the negotiation on succession within the International Conference on the Former Yugoslavia, the delegation of the FRY has been impeding efforts to reach such an agreement. As a consequence thereof, the Arbitration Commission of that Conference has issued 15 Opinions on various legal aspects of the succession of States. However, the impasse in negotiations on succession of States was not overcome by the time the Conference structure was terminated on 31 January 1996. It follows from the Conclusions of the Peace Implementation Conference, held in London on 8 and 9 December 1995, that these negotiations are

to be resumed under the auspices of the Peace Implementation Council. They should result in an agreement on the basis of international law on state succession according to which the assets and liabilities of the former SFRY that ceased to exist should be equitably distributed among all States concerned, as equal successor States.

3. Our Governments would like to point out the fact that as a consequence of the dissolution of the SFRY, the National Bank of Yugoslavia, as the central bank of the former SFRY, has ceased to exist. The institution now named the "National Bank of Yugoslavia" (hereinafter the "NBY"), as a central bank of the new State, the FRY, is not the same legal person as the National Bank of the former SFRY.

In the same sense, the above-mentioned Arbitration Commission expressly stated that the NBY is not entitled to take decisions affecting the property, rights and interests to be divided among the successor States in accordance with the principles of state succession (Opinion No. 15 of 13 August 1993).

Consequently, our Governments do not recognize any mandates from the former National Bank of Yugoslavia and the new institution that bears the same name.

Should the central banks or other institutions of States fail to respect this legal situation, our Governments reserve, as already stated, their right to claim compensation for any damages they may sustain.

The Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia and the Republic of Slovenia would highly appreciate the kind assistance of Governments in the implementation of Security Council resolution 1022 (1995) in accordance with the positions expressed in the present statement.

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GENERAL ASSEMBLY
Fifty-first session
Items 71 (g) and 72 (c) of
the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
REGIONAL DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE
CONCLUDING DOCUMENT OF THE TWELFTH
SPECIAL SESSION OF THE GENERAL
ASSEMBLY: REGIONAL CONFIDENCE-
BUILDING MEASURES

SECURITY COUNCIL
Fifty-first year

Letter dated 28 February 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Ecuador to the United Nations addressed to the Secretary-General

I am writing in reference to the meetings of the Ministers for Foreign Affairs of Ecuador and Peru, Mr. Galo Leoro and Mr. Francisco Tudela, held in Quito on 22 and 23 February 1996.

As a result of these meetings, and as part of the process of normalizing relations between the two countries and finding a solution to any remaining impasses with regard to the Itamaraty Peace Declaration of 17 February 1995, the Foreign Ministers signed the two agreements which I am transmitting herewith.

I should be grateful if you would have this note and its annexes distributed as a document of the General Assembly, under items 71 (g) and 72 (c) of the preliminary list, and of the Security Council.

(Signed) Emilio IZQUIERDO
Chargé d'affaires a.i.

* A/51/50.

ANNEX I

Agreement

The Governments of Ecuador and Peru have agreed as follows:

1. To submit on this date to the representatives of the Guarantor Countries their respective lists of "remaining impasses", in accordance with paragraph 6 of the Itamaraty Peace Declaration, which shall be kept in confidence.

2. The said lists shall not impose any limitations on the rights of the Parties; they shall be considered definitive and shall not be vetoed by the Parties. The content of the two lists shall be the subject of the talks referred to in the Itamaraty Peace Declaration.

3. Peru shall keep 60 troops stationed at observation post No. 2; this situation shall be verified by the Ecuador-Peru Military Observer Mission (MOMEP) and officially communicated to the representatives of the Guarantor Countries.

4. Once this official communication and the demobilization report from MOMEP have been received, in accordance with the Itamaraty Peace Declaration, the representatives of the Guarantor Countries shall proceed to submit the lists to the Foreign Ministers of the Parties or to their representatives in the city of Brasilia.

5. At the same time, the representatives of the Guarantor Countries declare that:

(a) Once MOMEP has verified that 60 men remain at observation post No. 2 and that the demobilization of that post has been carried out, the Guarantors shall proceed immediately to submit to the Parties the lists of the "impasses"; and

(b) The MOMEP report shall contain two parts. The first shall deal with observation post No. 2, and the second with the situation in the rest of the areas. For this second part, and if situations exist in which demobilization has not been completed, the parties shall continue working to resolve these situations.

Quito, 23 February 1996

For the Republic of Ecuador:
(Signed) Galo LEORO F.

For the Republic of Peru:
(Signed) Francisco TUDELA

Argentine Republic:
(Signed) Juan José URANGA

Federative Republic of Brazil:
(Signed) Ivan CANNABRAVA

Republic of Chile:
(Signed) Fabio Vío UGARTE

United States of America:
(Signed) Luigi EINAUDI

ANNEX II

Agreement

The Governments of Ecuador and Peru have agreed as follows:

1. To form a working group composed of officials from the defence sector of the two countries and of a diplomatic official who will serve as a liaison.

2. The said group shall be responsible for designing a bilateral mechanism to build confidence between Ecuador and Peru, which will help to make military procurement more transparent and to strengthen the climate of security and stability between the two countries.

3. The working group shall meet in Quito within the next 60 days to determine its scope and programme of work.

Quito, 23 February 1996

For the Republic of Ecuador:
(Signed) Galo LEORO F.

For the Republic of Peru:
(Signed) Francisco TUDELA